

109TH CONGRESS
2D SESSION

S. 4063

To provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2006

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Affordable Housing
5 Expansion and Public Safety Act”.

6 **SEC. 2. INCREASE IN INCREMENTAL SECTION 8 VOUCHERS.**

7 (a) IN GENERAL.—In fiscal year 2007 and subject
8 to renewal, the Secretary of Housing and Urban Develop-
9 ment shall provide an additional 100,000 incremental
10 vouchers for tenant-based rental housing assistance under

1 section 8(o) of the United States Housing Act of 1937
2 (42 U.S.C. 1437f(o)).

3 (b) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) IN GENERAL.—There are authorized to be
5 appropriated \$8,400,000,000 for the provision and
6 renewal of the vouchers described in subsection (a).

7 (2) AVAILABILITY.—Any amount appropriated
8 under paragraph (1) shall remain available until ex-
9 pended.

10 (3) CARRYOVER.—To the extent that any
11 amounts appropriated for any fiscal are not ex-
12 pended by the Secretary of Housing and Urban De-
13 velopment in such fiscal year for purposes of sub-
14 section (a), any remaining amounts shall be carried
15 forward for use by the Secretary to renew the vouch-
16 ers described in subsection (a) in subsequent years.

17 (c) DISTRIBUTION OF AMOUNTS.—

18 (1) ADMINISTRATIVE COSTS.—The Secretary
19 may not use more than \$800,000,000 of the
20 amounts authorized under paragraph (1) to cover
21 the administrative costs associated with the provi-
22 sion and renewal of the vouchers described in sub-
23 section (a).

24 (2) VOUCHER COSTS.—The Secretary shall use
25 all remaining amounts authorized under paragraph

1 (1) to cover the costs of providing and renewing the
2 vouchers described in subsection (a).

3 **SEC. 3. TARGETED EXPANSION OF HOME INVESTMENT**
4 **PARTNERSHIP (HOME) PROGRAM.**

5 (a) PURPOSE.—The purposes of this section are as
6 follows:

7 (1) To authorize additional funding under sub-
8 title A of title II of the Cranston-Gonzalez National
9 Affordable Housing Act (42 U.S.C. 12741 et. seq),
10 commonly referred to as the Home Investments
11 Partnership (“HOME”) program, to provide dedi-
12 cated funding for the expansion and preservation of
13 housing for extremely low-income individuals and
14 families through eligible uses of investment as de-
15 fined in paragraphs (1) and (3) of section 212(a) of
16 the Cranston-Gonzalez National Affordable Housing
17 Act.

18 (2) Such additional funding is intended to sup-
19 plement the HOME funds already allocated to a
20 participating jurisdiction to provide additional assist-
21 ance in targeting resources to extremely low-income
22 individuals and families.

23 (3) Such additional funding is not intended to
24 be the only source of assistance for extremely low-
25 income individuals and families under the HOME

1 program, and participating jurisdictions shall con-
 2 tinue to use non-set aside HOME funds to provide
 3 assistance to such extremely low-income individuals
 4 and families.

5 (b) SET ASIDE FOR EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—

7 (1) ELIGIBLE USE.—Section 212(a) of the
 8 Cranston-Gonzalez National Affordable Housing Act
 9 (42 U.S.C. 12742(a)) is amended by adding at the
 10 end the following:

11 “(6) EXTREMELY LOW-INCOME INDIVIDUALS
 12 AND FAMILIES.—

13 “(A) IN GENERAL.—Each participating ju-
 14 risdiction shall use funds provided under this
 15 subtitle to provide affordable housing to individ-
 16 uals and families whose incomes do not exceed
 17 30 percent of median family income for that ju-
 18 risdiction.

19 “(B) EXCEPTION.—If a participating juris-
 20 diction can certify to the Secretary that such
 21 participating jurisdiction has met in its jurisdic-
 22 tion the housing needs of extremely low-income
 23 individuals and families described in subpara-
 24 graph (A), such participating jurisdiction may
 25 use any remaining funds provided under this

1 subtitle for purposes of subparagraph (A) to
2 provide affordable housing to individuals and
3 families whose incomes do not exceed 50 per-
4 cent of median family income for that jurisdic-
5 tion.

6 “(C) RULE OF CONSTRUCTION.—The Sec-
7 retary shall notify each participating jurisdic-
8 tion receiving funds for purposes of this para-
9 graph that use of such funds, as required under
10 subparagraph (A), does not exempt or prevent
11 that participating jurisdiction from using any
12 other funds awarded under this subtitle to pro-
13 vide affordable housing to extremely low-income
14 individuals and families.

15 “(D) RENTAL HOUSING.—Notwithstanding
16 section 215(a), housing that is for rental shall
17 qualify as affordable housing under this para-
18 graph only if such housing is occupied by ex-
19 tremely low-income individuals or families who
20 pay as a contribution toward rent (excluding
21 any Federal or State rental subsidy provided on
22 behalf of the individual or family) not more
23 than 30 percent of the monthly adjusted income
24 of such individual or family, as determined by
25 the Secretary.”.

1 (2) PRO RATA DISTRIBUTION.—Section 217 of
2 the Cranston-Gonzalez National Affordable Housing
3 Act (42 U.S.C. 12747) is amended by adding at the
4 end the following:

5 “(e) PRO RATA DISTRIBUTION FOR EXTREMELY
6 LOW-INCOME INDIVIDUALS AND FAMILIES.—Notwith-
7 standing any other provision of this Act, in any fiscal year
8 the Secretary shall allocate any funds specifically approved
9 in an appropriations Act to provide affordable housing to
10 extremely low-income individuals or families under section
11 212(a)(6), such funds shall be allocated to each partici-
12 pating jurisdiction in an amount which bears the same
13 ratio to such amount as the amount such participating
14 jurisdiction receives for such fiscal year under this sub-
15 title, not including any amounts allocated for any addi-
16 tional set-asides specified in such appropriations Act for
17 that fiscal year.”.

18 (3) CERTIFICATION.—Section 226 of the Cran-
19 ston-Gonzalez National Affordable Housing Act (42
20 U.S.C. 12756) is amended by adding at the end the
21 following:

22 “(d) CERTIFICATION.—

23 “(1) IN GENERAL.—Each participating jurisdic-
24 tion shall certify on annual basis to the Secretary
25 that any funds used to provide affordable housing to

1 extremely low-income individuals or families under
2 section 212(a)(6) were actually used to assist such
3 families.

4 “(2) CONTENT OF CERTIFICATION.—Each cer-
5 tification required under paragraph (1) shall—

6 “(A) state the number of extremely low-in-
7 come individuals and families assisted in the
8 previous 12 months;

9 “(B) separate such extremely low-income
10 individuals and families into those individuals
11 and families who were assisted by—

12 “(i) funds set aside specifically for
13 such individuals and families under section
14 212(a)(6); and

15 “(ii) any other funds awarded under
16 this subtitle; and

17 “(C) describe the type of activities, includ-
18 ing new construction, preservation, and rehabili-
19 tation of housing, provided to such extremely
20 low-income individuals and families that were
21 supported by—

22 “(i) funds set aside specifically for
23 such individuals and families under section
24 212(a)(6); and

1 “(ii) any other funds awarded under
2 this subtitle.

3 “(3) INCLUSION WITH PERFORMANCE RE-
4 PORT.—The certification required under paragraph
5 (1) shall be included in the jurisdiction’s annual per-
6 formance report submitted to the Secretary under
7 section 108(a) and made available to the public.”.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—In addi-
9 tion to any other amounts authorized to be appropriated
10 under any other law or appropriations Act to carry out
11 the provisions of title II of the Cranston-Gonzalez Na-
12 tional Affordable Housing Act (42 U.S.C. 12701 et seq.),
13 there are authorized to be appropriated to carry out the
14 provisions of this section \$400,000,000 for each of fiscal
15 years 2007 through 2011.

16 **SEC. 4. PUBLIC AND ASSISTED HOUSING CRIME AND DRUG**
17 **ELIMINATION PROGRAM.**

18 (a) TITLE CHANGE.—The chapter heading of chapter
19 2 of subtitle C of title V of the Anti-Drug Abuse Act of
20 1988 (42 U.S.C. 11901 et seq.) is amended to read as
21 follows:

22 **“CHAPTER 2—PUBLIC AND ASSISTED**
23 **HOUSING CRIME AND DRUG ELIMI-**
24 **NATION PROGRAM”.**

25 (b) AUTHORIZATION OF APPROPRIATIONS.—

1 (1) AMOUNTS AUTHORIZED.—Section 5129(a)
 2 of the Anti-Drug Abuse Act of 1988 (42 U.S.C.
 3 11908(a)) is amended to read as follows:

4 “(a) IN GENERAL.—There are authorized to be ap-
 5 propriated to carry out this chapter \$200,000,000 for
 6 each of fiscal years 2007, 2008, 2009, 2010, and 2011.”.

7 (2) SET ASIDE FOR THE OFFICE OF POLICY DE-
 8 VELOPMENT AND RESEARCH.—Section 5129 of the
 9 Anti-Drug Abuse Act of 1988 (42 U.S.C. 11908) is
 10 amended by adding at the end the following:

11 “(d) SET ASIDE FOR THE OFFICE OF POLICY DE-
 12 VELOPMENT AND RESEARCH.—Of any amounts made
 13 available in any fiscal year to carry out this chapter not
 14 less than 2 percent shall be available to the Office of Pol-
 15 icy Development and Research to carry out the functions
 16 required under section 5130.”.

17 (c) ELIGIBLE ACTIVITIES.—Section 5124(a)(6) of
 18 the Anti-Drug Abuse Act of 1988 (42 U.S.C.
 19 11903(a)(6)) is amended by striking the semicolon and
 20 inserting the following: “, except that the activities con-
 21 ducted under any such program and paid for, in whole
 22 or in part, with grant funds awarded under this chapter
 23 may only include—

1 “(A) providing access to treatment for
2 drug abuse through rehabilitation or relapse
3 prevention;

4 “(B) providing education about the dan-
5 gers and adverse consequences of drug use or
6 violent crime;

7 “(C) assisting drug users in discontinuing
8 their drug use through an education program,
9 and, if appropriate, referring such users to a
10 drug treatment program;

11 “(D) providing after school activities for
12 youths for the purpose of discouraging, reduc-
13 ing, or eliminating drug use or violent crime by
14 youths;

15 “(E) providing capital improvements for
16 the purpose of discouraging, reducing, or elimi-
17 nating drug use or violent crime; and

18 “(F) providing security services for the
19 purpose of discouraging, reducing, or elimi-
20 nating drug use or violent crime.”.

21 (d) EFFECTIVENESS.—

22 (1) APPLICATION PLAN.—Section 5125(a) of
23 the Anti-Drug Abuse Act of 1988 (42 U.S.C.
24 11904(a)) is amended by adding at the end the fol-
25 lowing: “To the maximum extent feasible, each plan

1 submitted under this section shall be developed in
2 coordination with relevant local law enforcement
3 agencies and other local entities involved in crime
4 prevention and reduction. Such plan also shall in-
5 clude an agreement to work cooperatively with the
6 Office of Policy Development and Research in its ef-
7 forts to carry out the functions required under sec-
8 tion 5130.”

9 (2) HUD REPORT.—Section 5127 of the Anti-
10 Drug Abuse Act of 1988 (42 U.S.C. 11906) is
11 amended by adding at the end the following:

12 “(d) EFFECTIVENESS REPORT.—The Secretary shall
13 submit a report to the Congress not later than 4 years
14 after the date of the enactment of the Affordable Housing
15 Expansion and Public Safety Act that includes—

16 “(1) aggregate data regarding the categories of
17 program activities that have been funded by grants
18 under this chapter;

19 “(2) promising strategies related to preventing
20 and reducing violent and drug-related crime in pub-
21 lic and federally assisted low-income housing derived
22 from—

23 “(A) a review of existing research; and

24 “(B) evaluations of programs funded by
25 grants under this chapter that were conducted

1 by the Office of Policy Development and Review
 2 or by the grantees themselves;

3 “(3) how the information gathered in para-
 4 graph (2) has been incorporated into—

5 “(A) the guidance provided to applicants
 6 under this chapter; and

7 “(B) the implementing regulations under
 8 this chapter; and

9 “(4) any statutory changes that the Secretary
 10 would recommend to help make grants awarded
 11 under this chapter more effective.”.

12 (3) OFFICE OF POLICY DEVELOPMENT AND RE-
 13 SEARCH REVIEW AND PLAN.—Chapter 2 of subtitle
 14 C of title V of the Anti-Drug Abuse Act of 1988 (42
 15 U.S.C. 11901 et seq.) is amended by adding at the
 16 end the following:

17 **“SEC. 5130. OFFICE OF POLICY DEVELOPMENT AND RE-**
 18 **SEARCH REVIEW AND PLAN.**

19 “(a) REVIEW.—

20 “(1) IN GENERAL.—The Office of Policy Devel-
 21 opment and Research established pursuant to sec-
 22 tion 501 of the Housing and Urban Development
 23 Act of 1970 (12 U.S.C. 1701z–1) shall conduct a re-
 24 view of existing research relating to preventing and
 25 reducing violent and drug-related crime to assess,

1 using scientifically rigorous and acceptable methods,
2 which strategies—

3 “(A) have been found to be effective in
4 preventing and reducing violent and drug-re-
5 lated crimes; and

6 “(B) would be likely to be effective in pre-
7 venting and reducing violent and drug-related
8 crimes in public and federally assisted low-in-
9 come housing environments.

10 “(2) REPORT.—Not later than 180 days after
11 the date of enactment of the Affordable Housing Ex-
12 pansion and Public Safety Act, the Secretary shall
13 issue a written report with the results of the review
14 required under paragraph (1).

15 “(b) EVALUATION PLAN.—

16 “(1) IN GENERAL.—Upon completion of the re-
17 view required under subsection (a)(1), the Office of
18 Policy Development and Research, in consultation
19 with housing authorities, social scientists, and other
20 interested parties, shall develop and implement a
21 plan for evaluating the effectiveness of strategies
22 funded under this chapter, including new and inno-
23 vative strategies and existing strategies, that have
24 not previously been subject to rigorous evaluation
25 methodologies.

1 “(2) METHODOLOGY.—The plan described in
 2 paragraph (1) shall require such evaluations to use
 3 rigorous methodologies, particularly random assign-
 4 ment (where practicable), that are capable of pro-
 5 ducing scientifically valid knowledge regarding which
 6 program activities are effective in preventing and re-
 7 ducing violent and drug-related crime in public and
 8 other federally assisted low-income housing.”.

9 **SEC. 5. SENSE OF THE SENATE REGARDING THE CREATION**
 10 **OF A NATIONAL AFFORDABLE HOUSING**
 11 **TRUST FUND.**

12 (a) FINDINGS.—Congress finds the following:

13 (1) Only 1 in 4 eligible households receives Fed-
 14 eral rental assistance.

15 (2) The number of families facing severe hous-
 16 ing cost burdens grew by almost 2,000,0000 house-
 17 holds between 2001 and 2004.

18 (3) 1 in 3 families spend more than 30 percent
 19 of their earnings on housing costs.

20 (4) More than 75 percent of renter households
 21 with severe housing affordability burdens are ex-
 22 tremely low-income families.

23 (5) More than half of extremely low-income
 24 households pay at least half of their income on hous-
 25 ing.

1 (6) At least 500,000 Americans are homeless
2 every day.

3 (7) 2,000,000 to 3,000,000 Americans are
4 homeless for various lengths of time each year.

5 (8) It is estimated that the development of an
6 average housing unit creates on average more than
7 3 jobs and the development of an average multi-
8 family unit creates on average more than 1 job.

9 (9) It is estimated that over \$80,000 is pro-
10 duced in government revenue for an average single
11 family unit built and over \$30,000 is produced in
12 government revenue for an average multifamily unit
13 built.

14 (10) The Bipartisan Millennial Housing Com-
15 mission stated that “the most serious housing prob-
16 lem in America is the mismatch between the number
17 of extremely low income renter households and the
18 number of units available to them with acceptable
19 quality and affordable rents.”.

20 (b) SENSE OF THE SENATE.—It is the sense of the
21 Senate that—

22 (1) Congress shall create a national affordable
23 housing trust fund with the purpose of supplying
24 1,500,000 additional affordable housing units over
25 the next 10 years;

1 (2) such a trust fund shall contain sufficient in-
2 come targeting to reflect the housing affordability
3 burdens faced by extremely low-income and very low-
4 income families; and

5 (3) such a trust fund shall contain enough flexi-
6 bility to allow local communities to produce, pre-
7 serve, and rehabilitate affordable housing units while
8 ensuring that such affordable housing development
9 fosters the creation of healthy and sustainable com-
10 munities.

11 **SEC. 6. OFFSETS.**

12 (a) REPEAL OF MULTIYEAR PROCUREMENT AU-
13 THORITY FOR F-22A RAPTOR FIGHTER AIRCRAFT.—Ef-
14 fective as of October 17, 2006, section 134 of the John
15 Warner National Defense Authorization Act for Fiscal
16 Year 2007 (Public Law 109–364), relating to multiyear
17 procurement authority for F-22A Raptor fighter aircraft,
18 is repealed.

19 (b) ADVANCED RESEARCH FOR FOSSIL FUELS.—
20 Notwithstanding any other provision of law, the Secretary
21 of Energy shall not carry out any program that conducts,
22 or provides assistance for, applied research for fossil fuels.

23 (c) TERMINATION OF ADVANCED TECHNOLOGY PRO-
24 GRAM.—Notwithstanding any other provision of law, the
25 Secretary of Commerce may not award any new grants

1 under the Advanced Technology Program, provided for
2 under section 28 of the National Institute of Standards
3 and Technology Act (15 U.S.C. 278n), effective October
4 1, 2006.

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